IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

Bail Appl..No. 6068 of 2007(P)

CRIME NO.130/07 OF KOTTAKKAL POLICE STATION

PETITIONER : 8TH ACCUSED;

P.S.THAMPIL, AGED 34 YEARS,
S/O.SRIDHARAN, PUTHUVAL STHALATH,
KUNDANNUR, MARADU P.O., ERNAKULAM DISTRICT.

BY ADV. SRI.A.MOHAMMED
SRI.PEEYUS A.KOTTAM

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, KOTTAKKAL POLICE STATION
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6068 of 2007

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Dated this the 8th day of October, 2007

O R D E R

Second application for regular bail. The petitioner faces allegations under Section 395 I.P.C. Altogether there are 10 accused persons. The incident took place on 16.4.2007. The petitioner, who was later arrayed as accused, was arrested on 27.8.2007. He continues in custody from that date. An earlier application for regular bail filed by the petitioner was dismissed by this Court as per order dt. 18/9/07 in B.A.No. 5561 of 2007. I have adverted to the facts in detail in the earlier order referred above. I am hence not adverting to facts in any greater detail in this order. This order must be read in continuation of the said earlier order.

2. The learned counsel for the petitioner prays that the petitioner may now be enlarged on bail.

3. The learned Prosecutor opposes the application. He submits that the investigators have not received sufficient time to complete the investigation. The allegation is very serious. Some of the accused are yet to be apprehended. In these circumstances petitioner may not be enlarged on bail at this stage, submits the Prosecutor.

3. I find merit in the opposition by the learned Prosecutor. I am satisfied that the Investigators, in a serious crime like this, must be given sufficient time to complete the investigation.

4. This application is, in these circumstance, dismissed. But I may hasten to observe that the petitioner shall be at liberty to move the court for bail again at a later stage of the investigation, not at any rate, prior to 22.10.2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R. BASANT)
Judge

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